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09/621,110	07/21/2000	Charles Cohn	6-4	4412
47396	7590	11/18/2005	EXAMINER	
HITT GAINES, PC AGERE SYSTEMS INC. PO BOX 832570 RICHARDSON, TX 75083			LUU, CHUONG A	
			ART UNIT	PAPER NUMBER
			2825	

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Please find below and/or attached an Office communication concerning this application or proceeding.



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Paper No. 10182005

HITT GAINES, PC  
AGERE SYSTEMS INC.  
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(For Patent Owner)

**NOV 18 2005**

In re US Patent No. 6,790,760 B1  
COHEN, CHARLES

NOTIFICATION RE  
PRIOR ART CITATION

The prior art citation under 35 USC § 301 and 37 CFR § 1.501, filed on September 19, 2005, by an unknown third party in your patent number 6,790,760 B1 entitled "Information Disclosure Citation in a Patent" is before the Group Director of Technology Center 2800.

Under 37 C.F.R. § 1.501: Citation of prior art in patent files.

(a) At any time during the period of enforceability of a patent, any person may cite, to the Office in writing, prior art consisting of patents or printed publications which that person states to be pertinent and applicable to the patent and believes to have a bearing on the patentability of any claim of the patent. If the citation is made by the patent owner, the explanation of pertinency and applicability may include an explanation of how the claims differ from the prior art. Such citations shall be entered in the patent file except as set forth in §§ 1.502 and 1.902.

(b) If the person making the citation wishes his or her identity to be excluded from the patent file and kept confidential, the citation papers must be submitted without any identification of the person making the submission.

(c) Citation of patents or printed publications by the public in patent files should either:  
(1) Reflect that a copy of the same has been mailed to the patent owner at the address as provided for in § 1.33(c); or in the event service is not possible (2) Be filed with the Office in duplicate.

**MPEP § 2206 Handling of Prior Art Citation**

If the citation is proper (i.e., limited to patents and printed publications) and is filed prior to an order in a reexamination proceeding, it should be immediately entered into the >reexamination file. If no reexamination is pending for the patent, the citation should be placed in the < patent file. If the citation includes an indication of service on the patent owner, the citation is merely timely entered and no notice of such entry is sent to any

party. If the citation does not include an indication of service, the patent owner should be notified that a citation of prior art has been entered into the patent file. If a duplicate copy of the citation was filed, the duplicate copy should be sent to the patent owner along with the notification. If no duplicate copy is present, no copy will be sent with the notification.

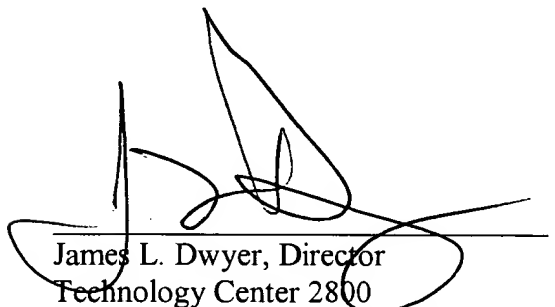
If the citation is not proper (i.e., it is not limited to patents or printed publications), it should not be entered in the patent file. The sender (if known) and the patent owner in all cases should be notified that the citation is improper and that it is not being entered in the patent file.

The prior art citation filed September 19, 2005, by an unknown third party, is an improper citation under 37 C.F.R. § 1.501(a) and will not be entered in the patent file. The prior art citation does not state the pertinency and applicability to the patent and its bearing on the patentability of any claim of the patent.

Furthermore, the prior art citation filed September 19, 2005 does not include an indication of service on the patent owner or whether a duplicate copy is present as required under 37 C.F.R. § 1.501(c).

Accordingly, the prior art citation filed September 19, 2005 entitled "Information Disclosure Citation in a Patent" is being sent to the patent owner along with this notification of nonentry.

This decision will be made of record in the patent file.



James L. Dwyer, Director  
Technology Center 2800  
Semiconductors, Electrical and Optical  
Systems and Components

Enclosure: Paper titled "Information Disclosure Citation in a Patent" to patent owner.